

1 [COUNSEL LISTED ON SIGNATURE PAGE]
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8 IN THE UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 HOLOGIC, INC., CYTYC CORP., and) CASE NO.: C08 0133 RMW
12 HOLOGIC L.P.,)
13 Plaintiffs,) **JOINT STIPULATION AND**
14 v.) **[PROPOSED] ORDER STAYING**
15 SENORX, INC.,) **ALL PROCEEDINGS**
16 Defendant.)
17 _____)

18
19 Plaintiffs and Defendant hereby submit this Joint Stipulation and [Proposed] Order
20 requesting a stay of all proceedings as follows:

21 WHEREAS, the parties have entered into discussions to attempt to resolve the above-
22 captioned dispute; and

23 WHEREAS, the parties believe that the discussions will require at least sixty (60) days.

24 NOW, THEREFORE, the parties hereby request that the Court stay all proceedings in
25 this matter as follows:

26 1. The Markman hearing currently scheduled for June 25, 2008, the trial
27 currently scheduled for July 14, 2008, and all other proceedings in this matter are hereby stayed
28 for a period of at least sixty (60) days.

1 2. The parties shall report to the Court in thirty (30) days the status of their
 2 discussions. In the event that the matter is not resolved, the parties shall jointly request mutually
 3 agreeable dates for a rescheduled Markman hearing and trial.

4 Dated: June 23, 2008

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 6 Respectfully submitted,

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 8 By: /s/Henry C. Su
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22 Attorneys for Defendant
 23 SENORX, INC.

Filer's Attestation

I, Natalie J. Morgan, am the ECF User whose identification and password are being used to file this Joint Stipulation and [Proposed] Order Staying All Proceedings. Pursuant to General Order No. 45, ¶ X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from the signatories above.

By: /s/Natalie J. Morgan
Natalie J. Morgan

[PROPOSED] ORDER

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED THAT:

1. The Markman hearing currently scheduled for June 25, 2008, the trial currently scheduled for July 14, 2008, and all other proceedings in this matter are hereby stayed for a period of at least sixty (60) days.

2. The parties shall report to the Court in thirty (30) days the status of their discussions. In the event that the matter is not resolved, the parties shall jointly request mutually agreeable dates for a rescheduled Markman hearing and trial.

Dated June , 2008

The Honorable Ronald M. Whyte
United States District Court Judge

CERTIFICATE OF SERVICE

U.S. District Court, Northern District of California,
Hologic, Inc. et al. v. SenoRx, Inc.
 Case No. C-08-0133 RMW (RS)

I, Kirsten Blue, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Diego, California. I am over the age of 18 years and not a party to the within action. My business address is 12235 El Camino Real, Ste. 200, San Diego, CA, 92130.

On June 23, 2008, I served a copy(ies) of the following document(s):

JOINT STIPULATION AND [PROPOSED] ORDER STAYING ALL PROCEEDINGS

on the parties to this action by the following means:

Henry C. Su (suh@howrey.com) Katharine L. Altemus (altemusk@howrey.com) HOWREY LLP 1950 University Avenue, 4th Floor East Palo Alto, CA 94303 Telephone: (650) 798-3500 Facsimile: (650) 798-3600	Attorneys for Plaintiffs HOLOGIC, INC. CYTYC CORPORATION and HOLOGIC LP
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- (BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Wilson Sonsini Goodrich & Rosati, 12235 El Camino Real, Ste. 200, San Diego, CA. I am readily familiar with WSGR's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited with the United States Postal Service the same day as it is placed for collection.
- (BY ELECTRONIC MAIL) I caused such document(s) to be sent via electronic mail (email) to the above listed names and email addresses.
- (BY PERSONAL SERVICE) I caused to be delivered by hand to the addressee(s) noted above. I delivered to an authorized courier or driver to be delivered on the same date. A proof of service signed by the authorized courier will be filed with the court upon request.
- (BY OVERNIGHT DELIVERY) I placed the sealed envelope(s) or package(s), to the addressee(s) noted above, designated by the express service carrier for collection and overnight delivery by following the ordinary business practices of Wilson Sonsini Goodrich & Rosati, 12235 El Camino Real, Ste. 200, San Diego, CA. I am readily familiar with WSGR's practice for collecting and processing of correspondence for

1 overnight delivery, said practice being that, in the ordinary course of business,
2 correspondence for overnight delivery is deposited with delivery fees paid or provided for
3 at the carrier's express service offices for next-day delivery the same day as the
4 correspondence is placed for collection.

5 (BY FACSIMILE) I caused to be transmitted by facsimile machine (number of sending
6 facsimile machine is (858) 350-2399 at the time stated on the attached transmission
7 report(s) by sending the documents(s) to (see above). The facsimile transmission(s)
8 was/were reported as complete and without error.
9

10 (BY CM/ECF) I caused such document(s) to be sent via electronic mail through the Case
11 Management/Electronic Case File system with the U.S. District Court for the Northern
12 District of California.

13 I declare under penalty of perjury under the laws of the United States that the above is true
14 and correct, and that this declaration was executed on June 23, 2008.

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Kirsten Blue